

1 Honorable Timothy W. Dore  
2 Chapter 11  
3 Hearing Date: March 29, 2024  
4 Hearing Time: 9:30 am  
5 Location: Court Room 8106  
6 Response Due: March 21, 2024  
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10 UNITED STATES BANKRUPTCY COURT  
11 WESTERN DISTRICT OF WASHINGTON  
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14 In re  
15 STRATEGIES 360, INC.,  
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17 Debtor.  
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21 No. 23-12303-TWD  
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28 DECLARATION OF BRUCE W.  
29 LEAVERTON IN SUPPORT OF  
30 KEYBANK'S MOTIONS FOR  
31 APPOINTMENT OF TRUSTEE  
32 AND FOR LEAVE TO ENFORCE  
33 MANDATORY SUBORDINATION  
34 AND DISALLOWANCE OF  
35 CLAIMS

36 I, Bruce W. Leaverton, declare under oath, as follows:

37 1. I am a citizen of the United States of America. I am over eighteen (18) years of age  
38 and am competent to make the statements herein. The following statements contained in this  
39 declaration are based upon my personal knowledge. I would reaffirm and restate these statements  
40 in any proceeding.

41 2. I am one of the attorneys for KeyBank, N.A. ("KeyBank"), a secured creditor in  
42 this case. I make this declaration in support of KeyBank's Motions for Appointment of a Trustee  
43 and for Leave to Enforce Mandatory Subordination and Disallowance of Claims on behalf of the  
44 Chapter 11 estate.

45 3. Attached as **Exhibit A** is a true and correct copy of the August 21, 2020 Complaint  
46 filed in King County Superior Court by Ron Dotzauer commencing *Dotzauer v. Sorenson*, Case  
47 No. 20-2-12924-1 SEA.

48 DECLARATION OF BRUCE W. LEAVERTON  
49 IN SUPPORT OF KEYBANK'S MOTIONS - 1

50 #5542730 v1 / 73219-010

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52 KARR TUTTLE CAMPBELL  
53 701 Fifth Avenue, Suite 3300  
54 Seattle, Washington 98104  
55 Main: (206) 223 1313  
56 Fax: (206) 682 7100

1       4.     Attached as **Exhibit B** is a true and correct copy of the July 28, 2023 Complaint  
2 filed in King County Superior Court by Eric Sorenson commencing *Sorenson v. Dotzauer*, Case  
3 No. 23-2-14006-1 SEA.

4       5.     Attached as **Exhibit C** is a true and correct copy of the August 29, 2023 Declaration  
5 of Eric Sorenson in Support of Motion for Judgment on the Pleadings CR 12(c) or in the  
6 Alternative Summary Judgment CR 56.

7       6.     Attached as **Exhibit D** is a true and correct copy of the Declaration of Eric Sorenson  
8 in Opposition to Motion to Stay Enforcement of Judgment.

9       7.     Attached as **Exhibit E** is a true and correct copy of the October 19, 2023 Judgment  
10 entered in favor of Eric Sorenson and against Ronald Dotzauer and the Debtor.

11       8.     Attached as **Exhibit F** is a true and correct copy of the August 25, 2023 Stock  
12 Purchase Agreement between Ronald Dotzauer and John Oceguera, produced to us by the Debtor  
13 without exhibits.

14       9.     Attached as **Exhibit G** is a true and correct copy of the September 27, 2023  
15 Guaranty Agreement from Oceguera, as trustee of the JJ Oceguera Family Trust in favor of the  
16 Canepa-Rotoli Living Trust.

17       10.    Attached as **Exhibit H** is a true and correct copy of the September 1, 2023 Limited  
18 Guaranty Agreement by Ronald Dotzauer of John Oceguera's \$2.0 million loan from the Canepa-  
19 Rotoli Living Trust.

20       11.    Attached as **Exhibit I** is a true and correct copy of the \$2.0 million Promissory  
21 Note by John Oceguera individually to the Canepa-Rotoli Living Trust, due and payable on  
22 September 1, 2025.

23       12.    Attached as **Exhibit J** is a true and correct copy of the August 25, 2023 Repayment  
24 Agreement between Ronald Dotzauer and John Oceguera, pursuant to which Dotzauer agrees to  
25 repay Oceguera \$2.0 million from "Dotzauer's proceeds" from the Debtor's establishment of an  
26 ESOP plan by no later than December 2024.

27  
DECLARATION OF BRUCE W. LEAVERTON  
IN SUPPORT OF KEYBANK'S MOTIONS - 2

#5542730 v1 / 73219-010

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1       13. Attached as **Exhibit K** is a true and correct copy of my February 28, 2024 letter to  
2 Christine Presser-Tobin.

3       14. Attached as **Exhibit L** is the March 4, 2024 letter to me from Christine Presser-  
4 Tobin.

5       15. Attached as **Exhibit M** is my March 5, 2024 letter to Christine Presser-Tobin.

6       I declare under penalty of perjury according to the laws of the State of Washington that the  
7 foregoing declaration is true and correct.

8       Executed this 8<sup>th</sup> day of March 2024, at Seattle, Washington.

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10       */s/Bruce W. Leaverton*  
11       Bruce W. Leaverton  
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